

Message Text

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PAGE 01 STATE 026892
ORIGIN L-03

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FM SECSTATE WASHDC
TO AMEMBASSY NICOSIA IMMEDIATE

UNCLAS STATE 026892

E.O. 11652: N/A

TAGS:NI, CPRS

SUBJECT:PROTECTION OF PROPERTY IN TURKISH CONTROLLED
AREA OF CYPRUS

REFS: (A) 77 NICOSIA 3057, (B) 76 STATE 63801

1. IN ACCORDANCE WITH GENERALLY ACCEPTED PRINCIPLES OF
INTERNATIONAL LAW AND PRACTICE, THE DEPT OF STATE WILL
NOT ESPOUSE CLAIMS FOR THE TAKING OF PROPERTY UNLESS
THE CLAIM HAS BELONGED CONTINUOUSLY FROM THE DATE IT
Arose, AND AT LEAST TO THE DATE OF REPRESENTATION, TO
U.S. NATIONALS. THIS RULE OF CONTINUITY APPLIES TO A
CLAIM ACQUIRED BY INHERITANCE, PURCHASE OR OTHER RIGHT
OF SUCCESSION FROM A U.S. NATIONAL.

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2. IF CONTINUITY OF U.S. NATIONALITY OF THE CLAIM IS
BROKEN AT ANY POINT, THE DEPT MUST DECLINE TO ESPOUSE
THE CLAIM. ACCORDINGLY, AS STATED IN REFTel B, AC-
QUISITION BY THE CLAIMANT OF U.S. NATIONALITY AFTER
THE TAKING DOES NOT ENABLE THE U.S. TO ESPOUSE THE CLAIM
OF A PERSON WHO WAS NOT A U.S. NATIONAL AT THE TIME THE
CLAIM Arose. FURTHER, AS THE EMBASSY CORRECTLY ASSUMES

IN REFTTEL A, THE U.S. CANNOT ESPOUSE THE CLAIM OF A U.S.
NATIONAL WHO ACQUIRED THE CLAIMED PROPERTY, WHETHER BY
INHERITANCE, PURCHASE, OR OTHERWISE, FROM A PERSON WHO
WAS NOT A U.S. NATIONAL AT THE TIME OF THE TAKING. VANCE

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Message Attributes

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Decaption Date: 01 jan 1960
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Litigation History:
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Message ID: cd866dcd-c288-dd11-92da-001cc4696bcc
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Reference: 77 NICOSIA 3057, 76 STATE 63801
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